

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

In re: Frederick H Birts, Sr.,

Case No.: 2015-21556-GHM-13

Debtor(s).

Chapter 13

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Frederick H Birts, Sr. has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your Rights May be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue
Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

MILLER & MILLER LAW, LLC
Attorney Joseph LoCoco
735 West Wisconsin Avenue
Suite 600
Milwaukee, Wisconsin 53233
(414) 277-7742
(414) 277-1303

You must also mail a copy to:

Attorney Joseph LoCoco
MILLER & MILLER LAW, LLC
735 West Wisconsin Avenue
Suite 600
Milwaukee, Wisconsin 53233

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is

 X **the Debtor;**
_____ the Chapter 13 Trustee (post-confirmation only);
_____ the holder of an unsecured claim (Name: _____)
(post-confirmation modification only).

2. This is a request to modify a Chapter 13 Plan:

A. ___ post-confirmation;

B. **X** **pre-confirmation;**

- i. ___ Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b);
- ii. _____ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:

UNITED CONSUMER FINANCIAL SERVICES

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:

Pay claim # 6 by United Consumer Financial Services.

4. The reason(s) for the modification is/are:

5. A. ___ The Chapter 13 Plan confirmed or last modified on ___ is modified as follows:
- B. X The unconfirmed Chapter 13 Plan dated February 24, 2015 is modified as follows:

1. **Debtor will pay claim #6-1 as filed by United Consumer Financial Services in the amount of \$1376.27 together with 0.00% interest on the secured portion. The Trustee shall make monthly pre-confirmation adequate protection payments of \$20.00 on this claim.**

All remaining terms and provisions of the plan are unaffected unless specifically addressed herein. In the event of a conflict between the original plan and the modification set forth above, the later shall supersede and control.

6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

CERTIFICATION

I, Joseph LoCoco, attorney for debtor(s) Frederick H Birts, Sr., certify that I have reviewed the modification proposed above with the debtor(s), and that the debtor(s) has/have authorized me to file it with the court.

/s/Joseph LoCoco

Counsel for the debtor(s)

May 5, 2015

Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: May 5, 2015

Attorneys for Miller & Miller, LLC.

At Milwaukee, Wisconsin

By: Joseph LoCoco

Bar No. 1084765

MILLER & MILLER LAW, LLC
735 West Wisconsin Avenue
Suite 600
Milwaukee, Wisconsin 53233

